

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS COUNTY OF NEWPORT

The Town Council of the Town of Tiverton, County and State aforesaid held a Special Council Meeting on Saturday, the 27th day of February 2016 at 9:00 a.m. at the Tiverton Town Hall, 343 Highland Ave.

MEMBERS PRESENT:

Councilor President deMedeiros, Vice-President Chabot, Councilor Lambert, Councilor Mello, Councilor Perry and Councilor Sousa. Councilor Pelletier arrived later.

Town Administrator Matthew Wojcik was also present. Town Clerk Nancy Mello was absent, minutes compiled by Clerk Leona Cook.

1. Call To Order

Council President deMedeiros called the meeting to order at approximately 9:05 a.m. with a pledge of allegiance to the flag.

Administrator Wojcik announced the Council and BC will be getting additional information on Life Insurance. In January, AIG informed the Town they will no longer write the life insurance, did not have any issues, it was just too small. Contacted the broker, if no changes will be able to finalize an agreement. This week received a summary of on-site wastewater treatment program explaining in great detail service provided to the Town and how much it really costs. Plan to increase this line item in the budget to \$38,000 from the current \$20k; agree with the approach and the cost analysis.

a.Code Enforcement

T/A Wojcik opined the job was mandated by state laws for residential and commercial construction. People expect a better job; now on schedule, more thorough. Neil Hall, Building Official is doing a lot of work to catch up, plan reviews, building permit applications and zoning violations that have to be taken into account. Asking for additional help; added a Land Use Clerk and a part-time building inspector (\$12k salary); if the budget stays as is would have one clerk for building/zoning and one for planning. Worked with the union to change the job description and add more responsibilities. If this is reconfigured both clerks would be under this department for budgeting purposes. The salary is established by the AFSCME contract; want to put the work where there is the most customer service. Estimated there is a customer every 15 minutes and the phone rings every 8 minutes. Need these clerks to cover for one another; this is the major driver for this part of the budget. Thinking about putting the Town Planner downstairs, could argue for a move to Essex, need a separate evaluation. Since the Community Center was sold all those records are being stored in the hallway downstairs; they are not organized, is a matter of importance. President deMedeiros was concerned about the PB clerk doing most of the building official's work if combining the two departments. T/A Wojcik could locate the Planner downstairs; office has small space, wary from a safety standpoint. Councilor Perry noted both of these departments are revenue driven, could have more help. Councilor Sousa suggested putting more online, like permit applications; not for hiring more people.

Building Official Neil Hall discussed the Code Enforcement budget; noted new technology is coming at the State level in the near future. Has never worked in an office with just one clerk, permits still have to be looked at, this department needs help. Saved many times by Kate Michaud covering the office but PB work was not getting done. Cannot continue like this, turning away revenue. Councilor Lambert requested a document showing debt and future debt. Would like to have one department function with a reasonable budget, eventually everything will hit the wall; budget neutral is massing debt. Mr. Hall agreed it would be hard to separate the zoning and planning clerk, requested having another full time clerk in addition to a part-time building inspector. President deMedeiros suggested instead having a part time clerk work every day. Mr. Hall noted if the full time building clerk was out for any length of time that office would be in trouble. President deMedeiros noted that could apply to any office in this building. T/A Wojcik explained it would be hard for a part timer with regularity follow the Affordable Care Act. T/A Wojcik suggested the inspections could be done on a per inspection basis. Disagreed with the way the Mechanical and electrical inspectors were accounted for; only on the revenue side. The net number is 4%; net out their fee of 28% the Town has never applied any limits to them. If for example a project was \$3.2 million they

would make \$825k. Mr. Hall was requesting a new full time clerk and a part time inspector. Councilor Perry suggested hiring 4 part timers; they are paid less and get no benefits. T/A Wojcik envisioned improving communications, looking to require office hours for the Land Use attorney. Councilor Pelletier noted that would need someone competent with computer skills willing to work for \$12/hour. Mr Hall questioned why people were not required to be cross trained from other departments. Councilor Perry opined there were not enough people to move. Councilor Pelletier added did not want to have 1 person be indispensable, need to be prepared for anything, suggested a better phone call system may help. T/A Wojcik agreed when staffing exactly to what is needed it creates an environment where everyone is indispensable. Councilor Perry pointed out the various cuts to the budget from the petitioner's budget; higher amounts in this year's budget is just to put those amounts back in. President deMedeiros opined was Council's job to educate the public; they need to know taxes may go up if there are more lawsuits. Councilor Sousa disagreed, hard to sell adding to the budget; code enforcement office needs to set priorities. Should be inspecting new subdivisions not looking over people's fences. T/A Wojcik explained when people call with a complaint they deserve a timely answer. The Town enforces the rules as written.

President deMedeiros suggested coming back Saturday of next week see what the numbers look like for 2 p/t clerks and 1 p/t building inspector. Councilor Chabot viewed this as a triangle; State building codes and regulations, the Town zoning ordinance and land use subdivision regulations; all required by law and supported with staff. The buildings are inspected by the Building Official and the mechanical and electrical inspectors. Do not support this part of the triangle. New developments have a process of their own, State rules and regulations can be confusing; Kate Michaud did a great job with that. There are time frames for subdivisions; have to support planning and the PB. Need dedicated resources to support the process. Part of the Administrator's job is to work with the PB, Zoning and Mr. Hall for the best approach; do not want lawsuits or unhappy taxpayers; need to think about what is really needed to support this triangle to get the job done. T/A Wojcik agreed; the budget that came back from the Financial Town Referendum (FTR) last year was not what was submitted. President deMedeiros opined; need to fight more if it gets cut can say the public was told. Councilor Chabot did not want to end up with more lawsuits. Councilor Perry suggested putting together some numbers to quantify this position. President deMedeiros noted this item would be back on next Saturday's agenda.

b.Planning Department

Town Planner Marc Rousseau spoke about this topic; this week alone spent 15 hours trying to help Mr. Long with the process on the sports complex. Agreed the Building Official needs help; submitted a Planning Dept budget with a f/t clerk, anything else would be irresponsible. When Ms. Michaud was here she had to cover the Building office; have a backload of work. May need more than a f/t secretary, as Administrative Office (A/O) have to enforce regulations. Noted the PB could raise fees, can speak for them. T/ A Wojcik noted the Land Use Clerk job description was on the Monday Special Meeting agenda. Have to find ½ salary for the Planner, was cut in last year's budget, will have the same problem next year; consolidating the functions can save on office staff and supplies. Mr. Rousseau looked to improve the system and services, prefers a f/t PB clerk. Plan to come up with a priority plan for the PB, tracking surety, projects and try to streamline the permitting process. Advocating for a f/t clerk, the downstairs office is small but could work. Stu Hardy, PB Chair agreed with the Planner, needs a f/t PB clerk. That office is behind through no fault of Ms. Michaud who helped staff the Building office when Mr. Hall through a crisis. Made two points, the Land Use Clerk would have to spend 4 hours doing PB work and 4 hours for Building. Ms. Michaud was pressed to get the job done, minutes were in arrears, still having a problem completing the Comp Plan; relied on Ms. Michaud's expertise. Read the job description of the Land Use Clerk, not sure will be able to find someone to deal with competing demands, etc. for that salary. Mr. Hardy noted the Town was not charging in fees what they should be; the PB has a subcommittee working on updating fees. Cannot make fees a profit center, the State will not allow, can charge fees that cover legitimate costs related to review of plans. Other communities charge much more. Under the Town jurisdiction is a development impact fee charged by the Town on a new house to the builder when the C.O. permit is issued. So those people are contributing to the costs of maintain schools. In the most recent fiscal year that impact fee raised \$52k, but can also charge for library, public works, Police, Fire and recreation. Hoping to raise more money to support the taxpayers without hitting the residents. Peter Moniz, PB member suggested the appointment of the Zoning officer be clarified either appointed by the Council or the T/A; one is in the Charter the other in the ordinance. Suggested the PB be implemented in the Charter, fully functional, to appoint should be done through the T/A with a recommendation

to the Council. Councilor Sousa opined, could probably use some help, would be a hard sell. President deMedeiros opined was the Council's job to give a recommendation. T/A Wojcik explained the Planner is keeping a day log of his activities; know Ms. Michaud did a tremendous amount of work just helping people. President deMedeiros noted the Council will vote next Saturday on this thanked the member of the PB for coming. Sally Black, School Committee Chair noted the Impact Fee is over \$16k per student. Councilor Chabot harkened back to basic services, what will it take to support, may stop all projects in effect, what mechanism would there be. Councilor Pelletier opined projects would have to be prioritized and everything else would fall by the wayside. Councilor Sousa opined adding new employees at this time was not a good idea.

Councilor Pelletier added the Council's job was to provide the public with a budget analysis of what the Town needs to operate. Councilor Chabot noted lots of money was spent on the Sousa Road project and that did not go forward; not guaranteed a revenue stream. If the 300 plus residential development happens it will have long term expense impacts. Councilor Lambert opined, kicking the can down the road, trying to put forth a budget with reason

c.Planning Board

Mr. Moniz noted the need for more hours for the PB Clerk; consider an exempt person 15 hours per week. President deMedeiros questioned if the PB clerk job description could be rewritten for more skills. T/A Wojcik did not intend to hire someone without a test; job description essential. Internally this job has to be posted for 7 days, if no one signs up then can be advertised. The PB never had a clerk specifically assigned to it and its needs. Thought the Land Use Clerk would do clerical and report to the A/O. Have eliminated the consultant fees, the A/O's salary are reflected in the person doing the job. Mr. Hardy reviewed the budget, personally had no problem, agreed about the A/O salary, need a functioning A/O, support the Planner. Several months ago came before the Council about the Comp Plan, needed professional services for editing, formatting and mapping. Made little progress, is problematic, case law view future land use map as almost a legally binding document and they also view the Affordable Housing Plan as almost a legally binding document. Both of these items have expired in the fall of 2014; legally do not have either one. T/A Wojcik agreed need a work plan going forward to get this done. Had to make adjustments internally to get Building Office open, Ms. Michaud covered that office 3 days a week from 9am to noon. As a result many things fell off the plate. Rosemary Eva, PB member spoke individually, clarified the Education/Seminar money was set aside for the A/O just in case the A/O was a volunteer and in case there was a conflict of interest or had to use the money. This has morphed into a stipend. Ms. Eva planned to discuss with the PB the need to scan minutes and store off site. T/A Wojcik, problems again with email last week, is planning this year to go to Gmail; will be able to use a drop box. Dave Saurette, PB member, agreed with most comments, reinforced the need for a f/t clerk; did not fully appreciate the amount of work and information that runs through the PB. T/A Wojcik noted over the past 5 years the most that has been spent is \$375; opined the members should go to the Grow Smart seminar every year as well as the RI League of Cities and Towns annual meeting. Councilor P. Mello had attended some of those seminars, suggested getting Grow Smart, can be tailored to the Town, would be helpful. Councilor Chabot noted as a Council need a consensus to recommend the PB attend seminars, need to make clear for education. Mr. Hardy was uncomfortable with the discussion; should pay their own way, preferred the stipend money go into having a f/t clerk. President deMedeiros thanked everyone for coming, long discussion but helpful.

d.Parks & Recreation

Administrator Wojcik explained the Recreation Commission does not have a quorum, trying to recruit members. Had someone for coordinator, pays \$10k, responsibilities include park, recreation and beaches. This will be a longer discussion; Council moved on to next topic.

e.Social Security

T/A Wojcik explained this calculation comes from multiplying .07625% times the salary budget line items.

Councilor Perry motioned to Approve \$518,858 for the budget for Social Security. Seconded by Councilor P. Mello passed unanimously.

f.Pensions

Administrator Wojcik explained the Town now has blended pensions with a defined benefit portion. Most recent calculations can be found in the budget backup book. It is a flat rate vs the salary, individual municipal employees driven by actuarial groupings. Firefighters are rated separately; employer share for that group is 15% of the gross wages for each individual FF. Police have a private pension, AFSCME, rated as a group comes in at 7.5%. Department heads and Teamsters are a bit different at 2% but is 120% funded. All Tiverton accounts are fully funded. The Pension line items were broken out in a little more detail. Cannot withdraw from the Municipal Employee Retirement System (MERS), looking to see if any overages for the Town can be transferred to another account in MERS.

Councilor Perry motioned to Approve the Total Municipal Pension for \$492,450. Seconded by Councilor Pelletier passed unanimously.

g.Unemployment

Administrator Wojcik noted the Town was self-insured, believed this was enough to cover to pay claims. Last year used \$10k out of this account.

Councilor Perry motioned, seconded by Councilor Pelletier to approve \$10,000 for Unemployment Security for the budget. Motion passed unanimously.

h.Unfunded Liability

Administrator Wojcik explained this is more commonly known as bust out pay, unused sick days, vacation time and personal time accrued by employees. This is contractual based on possible retirements and who is eligible or potential exposure for the year. This was cut in the petitioner's budget from last year; spent \$73k this year. Councilor Sousa suggested putting some in the contingency fund. T/A Wojcik explained the contingency fund should only be used when something unexpected happens.

Councilor Sousa motioned to cut Unfunded Liability to zero. The motion failed for lack of a second.

Councilor Perry motioned to Support the \$75,000 in the budget for Unfunded Liability. Seconded by Councilor Pelletier the motion passed on a vote of 6-1, Councilor Sousa opposed.

President deMedeiros noted another special meeting will be posted for next Saturday, may have to stay until 1 pm or so to get everything done. There are some unfinished items that need to be taken

ADJOURNMENT:

Councilor Perry motioned to adjourn, seconded by Councilor Pelletier. The motion passed unanimously.

The special meeting adjourned at 12:05 p.m.

A True Copy.

ATTEST:

Nancy L. Mello, Town Clerk